

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

In re:

Ninety Fifth Street Square Inc.,  
Debtor.

Involuntary Chapter 11

Case No. 16-13495 (SCC)

**ORDER DIRECTING CLOSURE OF CASE**

Upon the involuntary petition filed against Ninety Fifth Street Square Inc. by petitioning creditor Nedel Lionel (“Petitioning Creditor”) on December 14, 2016; and a Summons having been issued by the Clerk’s Office on December 14, 2016; and the Petitioning Creditor having failed to serve the Summons; and the Court having reviewed the docket of the case and finding that the involuntary petition fails to satisfy the requirements set forth in section 303(b) of the Bankruptcy Code; now therefore, it is hereby

**ORDERED** that the Petitioning Creditor’s filing is void *ab initio*; and it is further  
**ORDERED** that the Clerk’s Office is directed to close this case.

Dated: New York, New York  
January 24, 2017

/s/ Shelley C. Chapman

HON. SHELLEY C. CHAPMAN  
UNITED STATES BANKRUPTCY JUDGE

Certificate of Notice Pg 2 of 2  
 United States Bankruptcy Court  
 Southern District of New York

In re:  
 Ninety Fifth Street Square Inc.  
 Debtor

Case No. 16-13495-scc  
 Chapter 11

**CERTIFICATE OF NOTICE**

District/off: 0208-1

User: gwhite  
 Form ID: pdf001

Page 1 of 1  
 Total Noticed: 6

Date Rcvd: Jan 24, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jan 26, 2017.

db	+Ninety Fifth Street Square Inc., 557 Grand Concourse, Suite 6005, Bronx, NY 10451-5253
ptcrd	+Nedel Lionel, 223 Bedford Avenue #1029, Brooklyn, NY 11211-4171
cr	+Wells Fargo as Servicer for U.S. Bank National Ass., Shapiro, DiCaro & Barak, LLC, One Huntington Quadrangle, Melville, NY 11747-4401
7063915	+New York City Water Board, Andrew Rettig, Assistant Counsel, 59-17 Junction Boulevard, Elmhurst, NY 11373-5188
7088308	+Shapiro, DiCaro & Barak, LLC, Attorneys for Wells Fargo Bank, N.A., One Huntington Quadrangle, Suite 3N05, Melville, NY 11747-4468

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
 ust +E-mail/Text: ustpregion02.br.ecf@usdoj.gov Jan 24 2017 19:47:38 United States Trustee,  
 Office of the United States Trustee, U.S. Federal Office Building,  
 201 Varick Street, Room 1006, New York, NY 10014-9449

TOTAL: 1

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
 USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Jan 26, 2017

Signature: /s/Joseph Speetjens

**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on January 24, 2017 at the address(es) listed below:

Robert W. Griswold on behalf of Creditor Wells Fargo as Servicer for U.S. Bank National Association, as Trustee for Adjustable Rate Mortgage Trust 2005-10, Adjustable Rate Mortgage Backed Pass Through Certificates, Series 2005-10 rgriswold@logs.com, NYBKCourt@logs.com

TOTAL: 1